

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CHRISTINE PORTER,

Plaintiff,

Case No. 18-cv-00064

Hon. Gordon J. Quist

v.

CITY OF KALAMAZOO, et al,

Defendants.

Joseph B. Gale (P79049)

Michigan Litigation Law

Attorney for Plaintiff

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City of Kalamazoo

Richard O. Cherry (P77272)

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Phone: (269) 337-8185

STIPULATION TO EXTEND SCHEDULING ORDER DEADLINES

IT IS HEREBY STIPULATED, by and between both parties, by and through their respective counsel, that:

1. Due to Plaintiff needing serious surgery in late August and thereafter unable to travel in the subsequent two months, the initial deadlines agreed to by the parties and the court are no longer feasible and a three-month extension from the initial deadlines is necessary.

2. The Scheduling Order in this case currently requires the disclosure of Expert Reports for Plaintiff and Defendants to take place on or before November 19, 2018 and December 19, 2018 respectively; discovery to be completed by January 15, 2019; and dispositive motions to be filed by February 19, 2019.
3. Both Plaintiff Porter and Defendant Seckler have already appeared for their depositions.
4. The parties held a facilitative mediation on December 14, 2018 with Stephen Drew, but were unable to settle the case.
5. Extending the expert report cut-off date, the discovery cut-off date, and the dispositive motion cut-off date by three-months is appropriate and will aid the parties in resolving the dispute.

WHEREFORE, the parties request the following relief:

1. The Scheduling Order being extended by three (3) months to require:
 - a. the disclosure of expert reports for Plaintiff to take place on or before February 19, 2018 and for Defendants to take place on or before March 19, 2018;
 - b. discovery be completed by April 15, 2018; and
 - c. dispositive motions to be filed by May 19, 2018.

Respectfully submitted,

/s/ Joseph B. Gale

Joseph B. Gale
Attorney for Plaintiff

/s/ Richard O. Cherry (w/ consent)

Richard O. Cherry
Attorney for Defendant

CERTIFICATE OF SERVICE

I certify that on January 4, 2018, a true and correct copy of the foregoing instrument was electronically filed with this Court using the CM/ECF system, which will transmit notification of such filing to all counsel of record who have appeared in this matter.

/s/ Joseph B. Gale
Joseph B. Gale

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STIPULATED ORDER

The parties, by and through their respective counsel, stipulate and agree to the extension of the scheduling order deadlines regarding the expert report cut-off date, the discovery cut-off date, and the dispositive motion cut-off date by three-months. Counsel for the Parties are making good-faith efforts to conduct discovery, and attempted to resolve the matter at an early facilitation, however, since the matter was not resolved, an extension of the scheduling order deadlines will aid in the resolution of this matter.

The Court having considered the stipulation of the parties, and this Court being otherwise fully advised, **HEREBY ORDERS** that:

1. the disclosure of expert reports for Plaintiff to take place on or before February 19, 2018 and for Defendants to take place on or before March 19, 2018;
2. discovery be completed by April 15, 2018; and
3. dispositive motions to be filed by May 19, 2018.

Hon. Gordon J. Quist

/s/ Joseph B. Gale
Joseph B. Gale
Attorney for Plaintiff

/s/ Richard O. Cherry (w/ consent)
Richard O. Cherry
Attorney for Defendant